

Serial No. 09/940,988
April 28, 2004
Reply to the Office Action dated December 23, 2003
Page 5 of 9

REMARKS/ARGUMENTS

Claims 1-7 are pending in this application. By this Amendment, Applicants AMEND claims 1-4, and 6.

Applicants greatly appreciate the Examiner's indication that claim 7 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.

The Examiner objected to claims 2-7 for allegedly containing minor informalities. The Examiner is referred to MPEP § 608.01(n), "A. Acceptable Multiple Dependent Claim Wording Accordingly," where the format used by Applicants, e.g. "A method...", is indicated as acceptable. In fact, there is absolutely no basis whatsoever to object to the claim format "A method" used in dependent claims and this practice has long been used and accepted in U.S. patent practice. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to claims 2-7.

Claims 1-7 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Claims 1-4, and 6 have been amended to correct the informalities noted by the Examiner. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims under 35 U.S.C. § 112, second paragraph.

Claims 1, 4, and 5 were rejected under 35 U.S.C. 102(e) as being anticipated by Kadota et al. (U.S. 5,977,686). Claims 2, 3, and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kadota et al. (U.S. 5,977,686) in view of Kadota et al. (U.S. 5,802,685). Applicants respectfully traverse the rejections of claims 1-6.

Claim 1 has been amended to recite:

"A method for adjusting a frequency characteristic of an edge reflection type surface acoustic wave device, comprising the steps of:
determining the frequency characteristic of a first edge reflection type surface acoustic wave device having a piezoelectric substrate that is a first edge reflection type surface acoustic wave device cut from a piezoelectric wafer, the first edge reflection type surface acoustic wave device having a pair of edges of the piezoelectric substrate which define a predetermined distance therebetween; and

Serial No. 09/940,988

April 28, 2004

Reply to the Office Action dated December 23, 2003

Page 6 of 9

cutting the piezoelectric wafer for additional edge reflection type surface acoustic wave devices, which are subsequently cut from the piezoelectric wafer after the first edge reflection type surface acoustic wave device is cut, at at least one of a pair of positions which define a distance that is shorter than the predetermined distance when a final frequency characteristic of the additional edge reflection type surface acoustic wave devices is to be higher than an obtained frequency characteristic of the first edge reflection type surface acoustic wave device, and cutting the piezoelectric wafer at at least one of a pair of positions which define a distance that is longer than the predetermined distance when a final frequency characteristic of the additional edge reflection type surface acoustic wave devices is to be lower than the obtained frequency characteristic." (emphasis added)

Applicants' claim 1 recites the step of "cutting the piezoelectric wafer for additional edge reflection type surface acoustic wave devices, which are subsequently cut from the piezoelectric wafer after the first edge reflection type surface acoustic wave device is cut, at at least one of a pair of positions which define a distance that is shorter than the predetermined distance when a final frequency characteristic of the additional edge reflection type surface acoustic wave devices is to be higher than an obtained frequency characteristic of the first edge reflection type surface acoustic wave device, and cutting the piezoelectric wafer at at least one of a pair of positions which define a distance that is longer than the predetermined distance when a final frequency characteristic of the additional edge reflection type surface acoustic wave devices is to be lower than the obtained frequency characteristic." With the improved features of claim 1, Applicants have been able to provide a method for adjusting a frequency characteristic of an edge reflection type surface acoustic wave device so as to eliminate variations in the frequency characteristics among the edge reflection type surface acoustic wave devices produced and so as to allow a desired frequency to be achieved (see, for example, the paragraph bridging pages 3 and 4 of the specification of the present application).

The Examiner alleged in the first paragraph on page 4 of the outstanding Office

Serial No. 09/940,988
April 28, 2004
Reply to the Office Action dated December 23, 2003
Page 7 of 9

Action that lines 1-11 of column 8 of Kadota et al. (U.S. 5,977,686) teach the above emphasized step of Applicants' claim 1. However, lines 1-11 of column 8 of Kadota et al. (U.S. 5,977,686) state:

... if the distance D' defined by a distance from substrate edges 2a or 2b to the center of the electrode finger adjacent to the outermost electrode finger 3f or 4f (FIG. 1) is set to be equal to or less than $\lambda/2$, substantial ripples are generated in the passband. On the other hand, if the outermost electrode finger distance D' is set to be greater than $(\lambda/2 + (5\lambda)/16)$, the amount of the attenuation of the obtained SAW filter is decreased. Accordingly, it is preferable to set the outermost electrode finger distance D' at the value defined by the inequalities (1).

That is, this portion of Kadota et al. (U.S. 5,977,686) teaches nothing more than a preference for setting the outermost electrode finger distance D' of a single surface acoustic wave device at a value defined by an inequality. Kadota et al. (U.S. 5,977,686) fails to teach or suggest anything at all about cutting a piezoelectric wafer for forming additional edge reflection type surface acoustic wave devices, and certainly fails to teach or suggest any step of cutting a piezoelectric wafer for additional edge reflection type surface acoustic wave devices at a specific location depending upon the intended final frequency characteristics of the additional edge reflection type surface acoustic wave devices as recited in Applicants' claim 1. Thus, contrary to the Examiner's allegations, neither this portion of Kadota et al. (U.S. 5,977,686) nor any other portion of Kadota et al. (U.S. 5,977,686) teaches or suggests the step of "cutting the piezoelectric wafer for additional edge reflection type surface acoustic wave devices, which are subsequently cut from the piezoelectric wafer after the first edge reflection type surface acoustic wave device is cut, at at least one of a pair of positions which define a distance that is shorter than the predetermined distance when a final frequency characteristic of the additional edge reflection type surface acoustic wave devices is to be higher than an obtained frequency characteristic of the first edge reflection type surface acoustic wave device, and cutting the piezoelectric wafer at at least one of a pair of positions which define a distance that is longer than the predetermined distance when a final frequency

Serial No. 09/940,988

April 28, 2004

Reply to the Office Action dated December 23, 2003

Page 8 of 9

characteristic of the additional edge reflection type surface acoustic wave devices is to be lower than the obtained frequency characteristic" recited in Applicants' claim 1.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. 102(e) as being anticipated by Kadota et al. (U.S. 5,977,686).

The Examiner has relied upon Kadota et al. (U.S. 5,802,685) to allegedly cure various deficiencies in Kadota et al. (U.S. 5,977,686). However, Kadota et al. (U.S. 5,802,685) fails to teach or suggest the step of "cutting the piezoelectric wafer for additional edge reflection type surface acoustic wave devices, which are subsequently cut from the piezoelectric wafer after the first edge reflection type surface acoustic wave device is cut, at at least one of a pair of positions which define a distance that is shorter than the predetermined distance when a final frequency characteristic of the additional edge reflection type surface acoustic wave devices is to be higher than an obtained frequency characteristic of the first edge reflection type surface acoustic wave device, and cutting the piezoelectric wafer at at least one of a pair of positions which define a distance that is longer than the predetermined distance when a final frequency characteristic of the additional edge reflection type surface acoustic wave devices is to be lower than the obtained frequency characteristic" recited in Applicants' claim 1.

Accordingly, Applicants respectfully submit that Kadota et al. (U.S. 5,977,686) and Kadota et al. (U.S. 5,802,685), applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in claim 1 of the present application. Claims 2-7 depend upon claim 1 and are therefore allowable for at least the reasons that claim 1 is allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicants petition the Commissioner for a ONE-month extension of time, extending to April 23, 2004, the period for response to the Office

Serial No. 09/940,988
April 28, 2004
Reply to the Office Action dated December 23, 2003
Page 9 of 9

Action dated December 23, 2003.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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Attorneys for Applicants

Joseph R. Keating
Registration No. 37,368

Christopher A. Bennett
Registration No. 46,710

KEATING & BENNETT LLP
10400 Eaton Place, Suite 312
Fairfax, VA 22030
Telephone: (703) 385-5200
Facsimile: (703) 385-5080